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Following entry of the foregoing amendment, Claims 39-44 remain pending. Claims 45-56 that were previously withdrawn from consideration in response to the election previously made to the invention of Claims 39-44 are hereby cancelled. Independent Claims 39 and 42 have been amended. Applicants respectfully submit that no new matter has been added to the present application. In view of the amendments and remarks, Applicants respectfully assert that the rejections are now made moot and that the pending claims are in condition for allowance.

In accordance with the recent discussions that took place with the Examiner, independent Claims 39 and 42 have been amended to conform to the draft claim provided to the Examiner on July 29, 2006, whereby Claims 39 and 42 now include the limitation that the sensitivity of the controlled device is "based on measurements taken of an average change in air flow for a measured period of time of movement of the controlled device." This amendment more clearly defines the sensitivity of the controlled device by stating how the sensitivity is determined in accordance with an embodiment of the present invention. Applicants respectfully submit that, as amended, independent Claims 39 and 42 are distinguished over the prior art of record and are in condition for allowance. Furthermore, dependent Claims 40-41 and 43-44 are allowable as a matter of law as depending from an allowable claim, notwithstanding their independent recitation of patentable features.

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Conclusion

For at least the reasons set forth above, it is respectfully submitted that all pending claims in the present application are in condition for allowance. It is believed that all outstanding objections and/or rejections have been rendered moot, accommodated and/or traversed. If the Examiner is compelled to do other than allow all the pending claims, or has any comments or suggestions which will place the application in even better form for allowance, the Examiner is respectfully requested to contact the undersigned attorney.

It is not believed that extensions of time or fees for net addition of claims are required beyond those which may be otherwise provided for in the documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,

  
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